UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1999/20
28 December 1998

ENGLISH
Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Item 7 of the provisional agenda

THE RIGHT TO DEVELOPMENT

Report of the Secretary-General submitted in accordance with Commission on Human Rights resolution 1998/72

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GE.98-05317 (E)

INTRODUCTION

1. At its fifty-fourth session, the Commission on Human Rights adopted resolution 1998/72 in which it:

(a) Reaffirmed the importance of the right to development for every human person and all peoples in all countries, as an integral part of their fundamental human rights;

(b) Recognized that the fiftieth anniversary of the Universal Declaration of Human Rights provided an important opportunity to place human rights, and the right to development in particular, at the top of the global agenda;

(c) Welcomed the intention of the Secretary-General to give high priority to the right to development and urged all States to promote further the right to development as a vital element in a balanced human rights programme;

(d) Decided, in view of the urgent need to make further progress towards the realization of the right to development as elaborated in the Declaration on the Right to Development, to recommend the establishment of an open-ended working group and an independent expert;

(e) Called upon the Secretary-General to ensure that the Working Group and the independent expert received all necessary assistance required to fulfil their mandates;

(f) Requested the Secretary-General to submit to the General Assembly at its fifty-third session (see General Assembly document A/53/268) and to the Commission on Human Rights at its fifty-fifth session a comprehensive report on the implementation of the various provisions of the resolution.

2. In accordance with paragraph 9 (e) of resolution 1998/72, a note verbale dated 2 September 1998 was sent to all Permanent Missions accredited to the United Nations Office in Geneva with a view to collecting information on the follow-up to the Declaration on the Right to Development.

3. As of 14 December 1998, replies had been received from the Governments of the Islamic Republic of Iran, Lebanon, Morocco and Portugal. Those replies are summarized in the present document.

REPLIES RECEIVED FROM GOVERNMENTS

Islamic Republic of Iran

4. The Government of the Islamic Republic of Iran reaffirms that article 28 of the Universal Declaration of Human Rights stipulates that the full realization of human rights requires a just and equitable international social order.

5. Today, the full realization of the right to development is still far from satisfactory, although it has been recognized and accepted as a universal and inalienable right and is evolving in a dynamic way. The emergence of new obstacles makes it necessary to accompany the implementation and realization of the right to development with a process of international cooperation, as stipulated in the Vienna Declaration and Programme of Action.

6. Given the national and international dimensions of the right to development, its treatment needs to be appropriately addressed in an integrated and multidimensional context. The development process requires the adoption of effective development policies at the national level and the establishment of equitable economic relations and a favourable economic environment at the international level.

7. The international trading system should be reformed in a way not to lead to inequitable distribution of development benefits among countries. In particular, measures should be taken to ensure that the less economically developed countries do not suffer losses from the rules and regulations governing international trade. These rules should be adapted as necessary to enable the realization of the right to development.

8. The Government of the Islamic Republic of Iran believes that setting new international norms containing legally binding principles for directing the development policies of States is well justified and timely. Moreover, strengthening the follow-up mechanism to oversee the implementation of the recommendations of the open-ended working group of the Commission on Human Rights is inevitable and there must be a forward-looking and action-oriented approach in this regard.

9. Transboundary effects of unilateral coercive measures, policies and practices on the economy, development and human rights of peoples in other countries is another issue that merits due consideration. Regrettably at present, some countries continue to use their predominant position in the world economy to intensify extra-territorial application of domestic legislation against others, which is in contravention of international law; these practices sometimes prevent targeted countries from fully exercising their right to determine their political, economic and social systems; the right to development cannot be advanced in such an environment.

10. The Islamic Republic of Iran is concerned that human rights are becoming a conditionality for loans, aid or trade. As a result, particular policies are imposed on recipient countries, thereby affecting negatively the full enjoyment by the peoples of those countries of their right to development.

11. Foreign debt has been and remains one of the most acute factors adversely affecting economic and social development and the standard of living of the inhabitants of many developing countries. It has a negative impact on their development efforts, as a substantial share of national resources is diverted to service and repay these debts. Besides, the content and procedures of structural adjustment programmes and policies should be reviewed in terms of their effects on development possibilities and options and the realization of the right to development.

12. The Government of the Islamic Republic of Iran believes that an effective mechanism should be established to coordinate macroeconomic policies at the global level so as to ensure that the needs and rights of developing countries are fully taken into account. A proper balance between developed and developing countries must be created in decision-making processes, in particular on global financial issues and monetary issues in the Bretton Woods institutions and the World Trade Organization.

13. Regarding the crucial issue of human resource development in the context of a rapidly changing world, Iran believes that it should not be confined to the narrow scope of economic advancement, and should encompass all aspects of development, including the social, cultural and spiritual dimensions of development.

14. The Islamic Republic of Iran to date has formulated and implemented two development plans in which, notably, the private sector is encouraged to take a more active role in educational, medical and a wide range of other social activities, given the increased demand for better social services. In a number of initiatives it has also strived to promote regional cooperation and develop intraregional economic agreements.

15. Finally, prioritizing and concentrating on the development of the country, the Government has drastically cut down defence expenditures to one of the lowest levels in the region. This policy will be vigorously pursued by the Government, which hopes that other countries in the region would, for the sake of maintaining regional and international peace and security, adopt similar approaches.

Lebanon

16. The Government of Lebanon strictly respects the human right to development, as recognized by the General Assembly of the United Nations, and wishes to affirm that this right is a basic human right, the concept of which embraces the economic, social, cultural, civil and political rights of the human person.

17. The strategy that the Government is pursuing in its activities and programmes of action is based on the principle of decentralization, in the sense that the central administration is the focal point for planning, programming, training and direction, while the regional offices, social affairs departments and developmental services centres that operate in all the regions of Lebanon act as miniature ministries of social affairs thus rendering a variety of services in all economic, health, social, educational and vocational fields to all citizens, trying to understand problems and needs at the local level and earnestly endeavouring to find appropriate solutions thereto.

18. The Government emphasizes that, since human beings are the main targets of development, its developmental policy is geared to meet their needs through the provision of services suited to their situations and their environment.

19. The Government undertakes social and health development projects in collaboration and association with public institutions and local

municipalities, associations, clubs and bodies in such a way as to enable local communities to participate in the planning, supervision and implementation of these projects through joint committees established to that end.

20. One of the main aims is to promote sustainable development, meet the needs of the population and tackle the problems from which Lebanese families and their members are suffering, particularly by:

(a) Enabling women to play a more effective role as persons with a basic right to development, by way of development projects that provide families with economic support, encourage handicrafts and promote private production projects in the agricultural sector;

(b) Caring for marginalized groups, such as the disabled, orphans and widows, who need vocational training in order to become active members of society;

(c) Addressing the situation of delinquents, including beggars, vagrants and prisoners, and combating drug and alcohol abuse;

(d) Promoting the role of the young by encouraging the establishment of social and cultural clubs and by helping them to become core groups in furthering the development process;

(e) Stimulating public awareness in local communities and identifying local leaders who can be organized and trained to participate in the assessment and satisfaction of needs, thereby helping to realize the right to development.

21. The Government cherishes the human right to development as a basic right and implements development projects and programmes in all regions of Lebanon with a view to ensuring social justice.

Morocco

22. Morocco, a developing country keen to build a modern state that abides by universally recognized human rights, espouses the principles and actions for realizing the right to development as reaffirmed in resolution 1998/72 of the Commission on Human Rights.

23. In line with the Government's statement of 17 April 1998, Morocco is pursuing a new political direction based largely on the principles implicit in the right to development, namely the strengthening of international cooperation, modernization of the civil service, the judiciary and the educational system, the elimination of poverty, improvement of the primary health-care system, facilitation of access to low-cost housing, and strengthening of the status of women in economic, social and cultural life.

24. Through active participation in the appropriate forums, Morocco will contribute to the smooth operation of the follow-up mechanisms represented by the independent expert on the right to development and the open-ended working group.

25. In the opinion of Morocco, it is vitally important that the effective realization of the right to development should be underpinned by renewed international cooperation between North and South, in particular by relieving developing countries' foreign debt.

Portugal

26. The Government of Portugal recognizes that the issue of the elimination of social exclusion and poverty is of particular importance. A situation of poverty reflects deprivation, and social exclusion prevents a number of groups from exercising their right to citizenship and consequently enjoying their right to development.

27. Several measures are being implemented to combat poverty and social exclusion. The Minimum Guaranteed Income (MGI) created by Law No. 19-A/96 of 29 June 1996 was a political measure to ensure social cohesion. At present, MGI, which is funded by the State budget, is considered as a supplement to voluntary, local-initiative programmes to combat poverty.

28. Future perspectives and challenges depend on the capacity to integrate MGI with other existing mechanisms at the national level, the State playing a major coordinating role. However, there are concerns about the chances of the supported population being absorbed by the labour market in a reasonable time frame. In these circumstances, adequate training will enable them to initiate their own job creation.

29. A subprogramme on Economic and Social Integration of Underprivileged Social Groups (INTEGRAR) comprises measures to support social development, economic and social integration of the long-term jobless and the disabled; it also addresses the rehabilitation of support facilities for these groups.

30. The right to adequate housing is enshrined in article 65 of the Portuguese Constitution. The State has the obligation to devise, programme and conduct a housing policy. The focus on this subject stems from the huge homeless population, confined to major urban centres. This situation has led the Government to adopt or support the following initiatives:

The URBAN Programme jointly funded by the European Union, the central administration, the local administration and the private sector, aims at developing urban areas and promoting social development where and when necessary;

The Institute for Management and Alienation of the State's Housing Estate (IGHAPE) launched the RAINBOW Operation in 1996 to increase the housing capacity, especially where poverty and marginalization were rampant;

A number of housing initiatives have been launched to support low-income families (relocation programmes, or the PER programme), promotion of controlled-cost housing for the lower-middle class or even access to housing in a regulated free market (Renting by Young People and RECRIA).

31. At the international level, Portugal seeks primarily, at the European level, to promote a global and coherent framework regarding human rights as its Government did during its Presidency in 1992 when it presented a working document on the subject. As a donor country, Portugal is a member of the Development Aid Committee (DAC) within OECD.

32. At the multi-bilateral level the Government initiated the creation of the Community of the Portuguese Speaking Countries which includes human rights as one of the guiding principles in article 5 (e). Its six partners 1/ benefit from its diverse policy regarding sustainable development.

33. The Government of Portugal is also concerned by other factors affecting the full enjoyment of the right to development nationally and elsewhere, notably: external debt, environment, access to drinking water.

1/ Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique and Sao Tomé and Principe.